

App. F. IX-4

Previous References

1928: 2
(Law)

File No. 40-28

Serial Nos. 102

Later References

Law 131-28, 1-10
1163-28, 1-13

✓

D⁸ (11)

General and Revenue Secretariat.

Serial Nos. 2nd.

Part B for May 1929.

SUBJECT

Notice by ~~the~~ half of Bank of Mysore Ltd.
demanding payment of amount due to the bank
on a mortgage executed by Mr. Liridar Sopal Raj

W. S. S. S. S.
21-5-28

Law File No. 40 of 1928.

16/10

Serial
No.

Notice under Sec 80 C.P.C. dated 6-10
demanding payment of amount due
the Bank on ^athe mortgage executed by
Sindar Gopal raja Wns -

1) The facts of the case are clearly re-
flected in the notice. The papers relating
to the mortgage by Mr. Rangadas in favour
of Government must be in the Finance
Branch. This may be sent to that Branch
for putting the connected records at once -

Mr. 9-10-28 1) To the 'fin' for further compliance
AM 9/10

2) I. lease for 1000
MR

4) (H.B. 1371). In the Branch Diary
the file is ~~now~~ shown against
Remembrances on 1/10/1928.

12/10

Mr. A. B. B. J. MR
10/10

The file abovementioned has been
sent to the 2nd member, with the d.B.'s
opinion agreeing with the Finl Secretary
Recommendation for the approval of the Exci
Comr's suggestion to accept the promised
payment of Rs 5000 from the default.

General and Revenue
Secretariat

File No.

of 192

Serial
No.

A

Pls. Mr. Rangas and cancel the sale. If ~~used~~
Govt: approve of this, a reply ~~may~~ be sent to
the notice saying that Govt: have no interest
in the property, & as such are not necessary or
proper parties to the suit -

~~Mr.~~

(L.R.)

24/10

20/10/28
for
an

6) 210
29.10

7) Draft 29/10

10/11/28
30/10

8) Before the reply to the notice is sent
it is necessary to know whether the go
have approved the recommendation in
A.A. and the sale consequently. Since
the financial branch may be keeping
to ~~submit~~ furnish the information.

~~Mr.~~

21-10-28

31/10

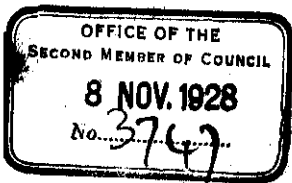
31/10/28
for
31/10

9) The member has approved the
Commissioner's recommendation - The
has therefore to be cancelled by the
committees. Till it is cancelled, it
Correct to reply to the notice that
no interest in the property - May
of the sale be averted?

Mr.

10/11/28
Am 10/11

B.O. Saindy
date whenever order
The member has been
recd.
not recd. in G. Br.
(Camp-Mysore)
By 31/10



General and Revenue
Secretariat.

Law File No. 40 of 1928.

Serial
No.Draft of a letter to Excise Com^r put up
for approval.DOP
14/11/28
15/1110) Issue, after making some
about the order necessary the
proposed settlement may be
issued -

15/11

11) The H. Br may be requested to note the
information whether the order referred to
by the Post Secy is issued.DOP
16/11/28
16/11

To the H. Br for kind of business the

12) A copy of the G.O. issued on
subject is put up for kind of reference.

16/11

For perusal.

13) The appd diagram may be
will now be issued

16/11

yes
17/11

To

Revenue Com^r,

P. 777 Dated 17.4.28 for report

29/11
17/11Sas
me
30/11

NOTE—Contn. Sheet.

Serial
No.

Letter no. A 1. 103/27. dated 7th Dec 28
from the Home Cont Commission that the
Party has been given 2 months time to pay up
Rs 5000/- & said that the Sale cannot
be cancelled before the expiry of this period

11) Under the circumstances, the replies
suggested in para 5 above cannot be sent to
the Board of Mysore Ltd.

Submitted for on

10/12/28
10/12

Further report as to the
result of the action taken in the
G.O. of 14.11.28 may be awaited
in the middle of next month

L.R.)

10/12

10/12

Sus file 15-1-29

REV. SECT.
En-12/12/28
FINANCIAL BRANCH

No further report is received in this Branch -
Perhaps the Finl Branch may be requested
to note the further action taken on the G.O
no. 3612-6 / S. 123-27-9 dated 14.11.28.

17.1.29
17/1

17/1

F.B.)

No further report has been received from the
ex. Com & the F.B. has not taken any
further action. Notice given to the party
to pay up the amount expired ^{only} on 16/1/29 & the
Ex. has reported that "no action can be
taken till the expiry of this period." under

vide enc. to
P.W.D.

NOTE—Contn. sheet

Serial
No.

these circumstances, a further report, if
any, from the Ex. Com. may be
the file may be returned to prot. Br.

18/11 Submd.

18/11

prot. Br. J. 18/11

The Branch may be requested
to state whether any further report
is received from the Ex. Com.

MP

26.4.29 To the Ex. Com. for furnishing the
information

18/11

Please see the interim reply received
from the Ex. Com. in the linked file
which may kindly be returned when done

18/11

Supdt. Dist. with
compliments)

From the linked file, it appears that
the defaulter Mr. Rangaswami has failed to
pay the Rs 5000 and consequently the sale
of his properties have not been cancelled;
on the other hand the D.C. Mysore is taking
possession of the properties. In these circumstances
the reply to the Bann of Mysore as typewritten
in paras above cannot be sent. Perhaps,
the Bann has to be allowed to implead the
govt as a defendant in the suit it has
filed in the Dist Ct Mysore and the properties

This may be
done 19/11

Law
19/11
Sub B. 19/11

1008
19.1.29
7/5. 25/4

Law
6/5

Serial
No.

allowed to be
sanctioned by Court, ~~noted if there any~~ ^{so that Govt may claim}
Surplus remaining after satisfying the po
mortgage in favour of the plaintiff Bank
~~a mortgage~~ in which case these papers on
~~may~~ perhaps be filed.

80p
75.29
7/5

L-R(1)

7/5

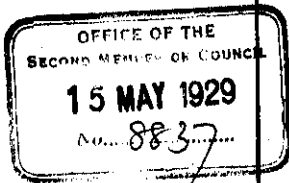
Under the circumstances
no reply need be given to the note

ENVO for personal

7/5
7/5

2nd Member

yes
ask
16/5
7/5
7/5



Law
18/5

The linked file may be returned to
the 7th Branch

80p
18/5

To the 7th Branch for taking the linked file
& returning it.

7/5

File taken back

B
MP
20/5/29

164282

Letter No. 40-18-1

To

CHIEF SECRETARY
8 OCT. 1928

The Chief Secretary to
The Government of Mysore,
BANGALORE.

Sir,

I have been instructed by my client, The Bank of Mysore Ltd., Sayaji Rao Road, Mysore to give you notice under section 80 ~~B.P.C.~~ which I do hereby, as follows:-

1. That, in consideration of the promise of The Bank of Mysore Ltd., Mysore to advance monies to him by way of loan, overdraft, cash credit account or other manner of accounts, Mr. Sardar Gopalraja Urs, son of Prince Gopalraja Urs, now residing in Narasimharaja Bouleward, Mysore, executed a registered mortgage in favour of the Bank of Mysore Ltd., on 6-1-1919, mortgaging the properties described in the schedule below ^{and to} ~~or~~ carried on transactions with the Bank, and on 27-3-28 a sum of Rs 24749-7-3 was due towards this account.

2. That subsequent to the mortgage set out above Mr. Sardar Gopalraja Urs sold the property item 1 of the schedule below to Mr. M. Ranga Rao, Excise contractor, Old Post Office Road, Mysore, who is in possession thereof since then.

3. That on 27-3-28 my client filed a suit in O.S. No. 4 of 27-28 on the file of the District Judge, Mysore for recovery of the amount due on the mortgage deed, set out above, by sale of the mortgaged properties.

4. That on 27-9-28 the said Mr. Ranga Rao filed in court a written statement to the effect that subsequent to his purchase he mortgaged his interest in the said property in favour of the government for amounts due

to them and that the Government has purchased the same amounts due to them and that the Government should be made a party to the suit.

5. That the Bank of Mysore came to know about the interest of the Government of Mysore in the said property for the first time when a copy of Mr. Ranga Rao's statement was given to me.

6. That therefore on behalf of the Bank of Mysore Ltd. Mysore I do hereby inform you that if the amount due to my client on the said mortgage is not paid within 2 months next after receipt of this notice, I will apply to the District Judge, Mysore, to implead the Government of Mysore as a party to the above said suit.

Schedule.

1. House number D/5 situated in Lashkar Mohalla, Mysore, bounded on the East by Vardhamaniah's compound, West by road, North by Old Post Office road, and on the South by Curzon Park.

2. House number 920 situated in Krishnaraja Mohalla, Mysore, bounded on the East by Baleurs compound, West by street, North by Sirdar Gopal Krishna Ursu's house, and South by Lane.



Mysore.
Dated 6th Oct. 1928.

Advocate.

SUBJECT.....

Diary No. of letter replied to.....

Section *Income*File No. *40-28.*Serial No. *2*No. *2797 C*

General and Revenue Secretariat

the

192

To

*The Excise Commissioner
Bangalore*

Date of issue.....

17/11/28

Signed by.....

JW 185

Sir,

*I am directed to forward**herewith ^a copy of the notice
under Section 80 of the Code of
Civil Procedure, sent to the
Chief Secretary by Mr. M.**Lakshmi Narayana Rao, Advocate,
Bangalore, ^{for} on behalf of the Bank
of Mysore Ltd, in connection
with certain house properties
of Mr. M. Rangarao, Civil
Contractor, which seem to have
been purchased ^{on behalf of} by Government**over*

List of enclosures.....

Copied by

Examined by

in a sale held by the Revenue
authorities for recovery of the
excise dues of the Contractor.

~~and to request you since a
settlement of the claims of Mr.~~

Rangarao ~~since~~ ^{to} your recommendation

to accept Mr Rangarao's offer

of Rs 5000/- in full settlement

of his dues, ~~is sanctioned~~ ^{has been} approved, by Govt.

I am to enquire request you to be so good as to take necessary

~~to have the sale cancelled & intimate
to inform me of the~~

~~the fact of Government
Cancellation of the sale, so that~~

~~the Bank of Mysore may be~~

~~informed that Government's~~

~~have no interest in the~~

~~properties in question. and as such~~

~~are not liable for the Bank's~~

~~claim.~~

Further action to effect
the settlement accordingly
~~the same~~ ^{at an early date}
to enable a

I have etc

Legal Remembrance,
Secretary to Govt

100p

GOVERNMENT OF MYSORE.

EXCISE DEPARTMENT.

In reply, refer to
No. A1-103/27.
Encs ...One...

OFFICE OF THE EXCISE COMMISSIONER
IN MYSORE.

Dated, Bangalore, the 7th December, 1928.

FROM

S.P. Rajagopalachari, Esq., B.A., B.L.,
~~Excise~~ Excise Commissioner in Mysore.

TO

B. Nagappa, Esq., Bar-at-Law.,
Secretary to Government of His Highness the Maharaja of Mysore.
Law Departments, ~~Excise Department~~, Bangalore.

SIR,

With reference to your letter No.P.2797 (1)/Law.40-28 dated 17th November 1928 about the notice sent to the Chief Secretary by Mr.M. Lakshminarayana Rao, Advocate, for the Bank of Mysore, Ltd., in connection with the house properties of Mr.M. Ranga Rao, late Excise Contractor, I have the honour to state that the Deputy - Commissioner, Mysore District, reports in his letter No.K3-89/28 dated 29th November 1928 (copy enclosed) that the party has been given a notice to pay up Rs.5,000/- within two months and that no action can be taken till the expiry of this period.

I have the honour to be,
Sir,
Your most obedient servant,

G. Rudappa

Assistant Commissioner
For Excise Commissioner in Mysore,
(Absent on casual leave.)

4

Letter No.K3-89/28 dated 29th November 1928 from the Deputy Commissioner, Mysore District, to the Excise Commissioner in Mysore, Bangalore.

- - - - -

With reference to your No.A1-163/27 dated 19th November 1928 re: the recovery of Rs.5,000/- from Mr.M. Ranga Rao, I have the honour to state that the party has been given a notice on the very day of receipt of Government Order giving him time for two months i.e., till 16-1-1929 to pay up the amount.

Under the circumstances the settlement as per reference regarding the notice by the Bank, subsequently received, before the expiry of the notice period can be done if the party pays up the amount earlier.

- - - - -

" C O P Y "

S. R. Srinivasan

For Excise Commissioner.

Ke
BR.

5

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE.

Read:—

Correspondence ending with letter No. Fl. 5151/Ex. 36-24-16, dated 6th March 1926 to the Revenue Commissioner in Mysore, directing that, if Mr. M. Ranga Rao, an Excise defaulter in Mysore pays a lumpsum amount of Rs. 10,000/- in full settlement of his dues to Government both under Excise and Income-tax within a period of two months from the date of intimation, the same may be accepted and the matter closed.

2. Further correspondence on the subject ending with letter No. A.1.-103/27, dated 20th September 1928 from the Excise Commissioner in Mysore, stating that the Deputy Commissioner, -- Mysore District, who was consulted, is of opinion that the offer of Mr. Ranga Rao to pay a lumpsum amount of Rs. 5,000/- may be accepted in full settlement of his dues to Government if cash payment is made by the party and the sale of his properties -- cancelled and recommending that under the circumstances reported the offer may be accepted.

Order No. H 3612-6 / Ex 123-27-9

Bangalore, dated the 14th November 1928.

The recommendation of the Excise Commissioner is approved.

M V Narayana Rao
For Secretary to Government,
Financial Department.

To

The Excise Commissioner in Mysore.
The Revenue Commissioner in Mysore.
The Commissioner of Income-tax in Mysore.
The Deputy Commissioner, Mysore District.
The Comptroller to Government.